

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

MYNOR ABDIEL TUN-COS, <i>et al.</i>	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:17-cv-943
	)	
B. PERROTTE, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

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**DEFENDANTS' MOTION TO DISMISS THE  
FIRST AMENDED COMPLAINT**

Under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), Defendants B. Perrotte, T. Osborne, D. Hun Yim, P. Manneh, and A. Nichols move this Court to dismiss Plaintiffs Mynor Abdiel Tun-Cos, Jose Pajarito Saput, Luis Velasquez Perdomo, Pedro Velasquez Perdomo, Germán Velasquez Perdomo, Eder Aguilar Aritas, Eduardo Montano Fernández, Nelson Callejas Peña, and José Cárcamo's claims against them because this Court lacks subject matter jurisdiction over those claims, and because Plaintiffs have failed to state a claim upon which relief may be granted. This motion is based on the accompanying memorandum. A proposed order is attached.

DATED this 2nd day of January, 2018.

Respectfully submitted,

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/s/

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 2, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of this filing to:

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